



Indianapolis Metropolitan Police Department

GENERAL ORDER

9.4

PROPERTY AND EVIDENCE CONTROL

POLICY

It is the policy of the Indianapolis Metropolitan Police Department (IMPD) that all members will comply with department directives regarding property and evidence coming under their control. This includes items that are found, received, or confiscated as evidence or personal property. Items seized for forfeiture are handled in accordance with IMPD General Order 9.7 – *Asset Forfeiture*.

Members will ensure all property coming under their control is safeguarded and properly documented in order to help obtain a court conviction or return the property to its rightful owner. The department will make a reasonable and diligent effort to locate and identify the proper owner of all property coming under its control and, if the items are to be released, advise them of the procedures to claim the property.

It is the policy of this department to maintain 24-hour operation of the Property Section in order to provide around-the-clock availability to officers checking in property or evidence.

PROCEDURE

I. General Procedures

- A. Members of the department must bring all property coming into their possession to the Property Section to be logged in prior to the end of their tour of duty. Evidence property should be placed in the Property Section before marking in-service to avoid compromising the court case and chain of custody. Members coming into possession of property while off duty are responsible for immediate delivery of that property to the Property Section.

EXCEPTION

It may not be possible to transport certain items to the Property Section for submission due to size, weight, volume, or volatility. These items shall be processed, transported, and documented as described in this directive.

- B. All evidence should be transported and delivered to the Property Section by the responsible officer or evidence technician. Personal property other than firearms, narcotics, prescription medications, or items of significant value may be transported to the Property Section by a Public Safety Officer (PSO) or Marion County Sheriff Office (MCSO) jail wagon deputy. PSOs trained as evidence technicians may transport evidence they recover, except for narcotics or prescription medications. MCSO jail wagon deputies shall not be requested to transport evidence.
- C. All property placed in the Property Section, regardless of category, must have an IMPD case number assigned to it, be clearly marked for identification, and include the member's name, identification number and date. All property submitted will be documented in the "Property" section of an incident report.
- D. Money should be counted at the scene and in the presence of a witnessing officer and the person from whom it was seized, when feasible. The quantity, denominations, and denomination total value will be listed individually in the "Items" section of the *Property Room Voucher*. The total value must be written in the "Comments" section of the *Property Room Voucher*. If the person disagrees with the amount of money the officer has counted out and written on the form, a supervisor will be called to the scene. The



officer will note the discrepancy claim, total amount, and witness signature in the “Comments” section of the voucher and in the narrative section of the incident report.

- E. When depositing money into the Property Section, it shall be counted in the presence of the submitting officer and the Property Section personnel. The money will be packaged according to IMPD Property Section Standard Operating Procedure (SOP). Large amounts of money, foreign currency, or other valuable items (jewelry, bonds, etc.) will be secured in the Property Section bank vault. Narcotics and firearms will also be secured in their respective vaults separate from other property.
- F. All evidence and other property will be maintained in a separate and secure area away from the area accessible to non-Property Section personnel. Only authorized Property Section personnel are allowed in these secure areas. The only exceptions to this rule will be authorized by the Property Section supervisor, or upon permission from the Chief of Police or designee. Exceptions may **not** be authorized by district supervisors or other non-Property Section supervisors. Non-Property Section personnel must be escorted at all times by Property Section personnel. Only members assigned to the property/evidence section and members who maintain governance over the property/evidence section will have and maintain keys to the section. All personnel entering the secure area of the Property Section shall sign in at the official log book located in the Property Section. The sign-in will specify the time of the officer’s entry to and exit from the secure area.
- G. Most transactions involving submission and retrieval of controlled property will be handled in the Officer Work Room to maintain the security of the facility. IMPD officers and Indianapolis-Marion County Forensic Services Agency (IMCFSA) personnel will be allowed into limited areas within the Property Section for the purposes of inspecting evidence, drug testing, or other appropriate reasons.
- H. The record-keeping system in the Property Section shall be comprehensive, to include: property location; date and time property was received or released; character, type, and amount of property; and the chain of custody from the time the property was stored until its destruction or other final disposition.

II. Heavy Property Procedures

- A. Heavy property and unusual items that cannot be transported by traditional means (police officer, jail wagon, or Property Section staff) will be transported by contract wrecker.
- B. When transportation of heavy or unusual items is necessary, the officer shall request a supervisor’s approval to order a contract wrecker. The officer’s name, unit number and identification number shall be noted on the *Tow Slip*. The requesting officer will contact the Property Section to determine the best location for storing the item.
- C. Heavy property or unusual items are to be entered into the “Property” section of the incident report and a *Property Room Voucher* will be completed by the officer submitting the item. The *Property Room Voucher* shall be submitted to the Property Section prior to marking back in service.
- D. The contract wrecker, with an officer escort, shall tow the items to the approved storage location or an authorized storage lot.
- E. Heavy property or unusual items transported by contract wrecker service shall be released through the Property Section.
- F. Heavy and/or unusual property which cannot be transported immediately must be properly guarded and secured until the items have been processed and/or transported to preserve the proper chain of custody.



III. Evidence

- A. All property submitted to the Property Section as evidence must be identifiable for court purposes. Factory serial numbers, if available, must be documented on all reports. The item shall be described in detail in the "Property" section of all reports.
- B. No evidence may be reviewed without the presence or authorization of the responsible officer or supervisor. Proper identification and chain-of-custody rules will be followed on any persons viewing property already submitted to the Property Section (i.e., legible names and dates for identification on subsequent dates). No property may be released without approval from the responsible officer or supervisor for the case.
- C. Evidence and property checked out from the Property Section for court, or for transfer to another agency, must be returned to the Property Section the same day, unless ordered held by the court or permanently transferred to another agency. If the evidence is going to be held by the court or released to another agency, the officer responsible for checking out the evidence must return within twenty-four (24) hours to the Property Section with an executed copy of the receipt bearing the name, signature, identification, agency, and address of the individual receiving and taking responsibility for the evidence.

NOTE

During a multi-day court trial, all evidence or property not held by the court must be returned to the Property Section each day and checked out again the following day.

- D. Evidence and property checked out from the Property Section for further investigative purposes must be returned to the Property Section the same day, unless it is properly secured with the approval of a supervisor and notification of Property Section personnel. Additionally, the officer responsible for checking out the evidence must return within twenty-four (24) hours to the Property Section with an executed copy of the receipt bearing their name, signature, identification, and the location of where the evidence/property is secured.

NOTE

Evidence and property must **never** be stored in any place other than those designated by this directive. This includes, but is not limited to, an employee's locker, vehicle, desk, or file cabinet. The Property Section will notify officers who are not in compliance with this procedure via email.

- E. Evidence may be held at the Property Section Annex at 901 N. Post Road. If needed for a court case, officers must contact the Property Section and order the item the day before it is needed.
- F. When a member needs non-narcotic evidence or property from the Property Section, the following procedures must be followed:
 - 1. Weekdays between 0730 and 1600 hours – Assigned officers or their supervisors may come to the Property Section and retrieve items in storage for purposes of court presentation, review of evidence, or release. Officers will not phone the Property Section prior to arrival in an attempt to expedite a request.
 - 2. Weekdays between 1600 and 0730 hours, Saturdays and Sundays – If property or evidence is needed during this time, arrangements should be made by telephone or in person to the Property Section during normal business hours. The property will then be removed from storage and held for the requesting officer. If an emergency exists and items in storage must be retrieved, a Property Section supervisor must be notified.



IV. Firearms Submitted to the Property Section

- A. The responsible officer will ensure the weapon has been unloaded and contains no live rounds in the chamber. A safety strap must be properly applied and must never be placed through the barrel. If unfamiliar with the weapon, the officer will contact a supervisor.

NOTE

To ensure ballistic integrity, items must never be inserted into the barrel of the firearm.

- B. Officers bringing in a firearm that has not been “cleared” and/or “made safe” must notify Property Section personnel to advise they are on their way with an unsafe weapon. Upon arrival officers will proceed down the main ramp into the basement parking garage and park at the loading dock. Officers will then walk the “unsafe” weapon to the door of the Property Section adjacent to the loading dock and ring the bell for assistance. Property Section personnel will then come to the door and assist officers with submitting the weapon.

NOTE

Firearms submitted to the Property Section shall not be dry fired as it may damage the firing pin or change internal workings which may affect testing results.

- C. Property Section personnel will attach an IMPD **Weapon Tag** to all firearms and place the unloaded weapon in a firearm box which shall be properly labeled for storage. Firearms will be stored in a separate vault away from other property.
- D. If a firearm's serial number has been removed, altered, or is unclear, the firearm must be submitted as Evidence on the *Property Room Voucher*. Members will not attempt to restore a firearm's serial number. Members may submit the firearm to the IMCFSA for serial number restoration analysis.
- E. A firearm submitted to the Property Section as evidence shall be held according to the Property Section SOP. The responsible and/or investigating officer will use this time period to determine what examination is necessary. The responsible and/or investigating officer will submit an IMCFSA request form for any testing needed.
- F. Seized firearms utilized for investigative purposes will be stored at the Property Section.

V. Narcotic Evidence

- A. All narcotics will be processed for intake by Property Section personnel in the presence of the submitting officer.
- B. All narcotics will be stored and maintained with added security, as outlined in the Property Section SOP.
- C. Based on the Property Section SOP, a presumptive test will be conducted on suspected narcotics and/or narcotic-related items that are submitted incident to arrest or needed for probable cause. These procedures were developed and approved by Property Section personnel based on procedures developed and approved by the department, IMCFSA and Marion County Prosecutor's Office (MCPO).
- D. Officers submitting narcotics must place the substance in a heat-seal evidence bag, properly seal the bag, and attach the yellow copy of the *Property Room Voucher*. Officers will place the secured bag into the narcotics drug vault or drop box.
- E. If the seal on the package is broken, the investigative analyst assigned to the narcotics vault must be notified of the reason by inter-department. The evidence will be tested and weighed again by IMCFSA. If a discrepancy is found the Property Section manager must be notified.



- F. Seized controlled substances utilized for training or investigative purposes will be stored in secured containers at the Property Section. Items may be signed out by authorized personnel for the length of time required to meet their objectives, then must be returned to the Property Section. Items shall be inspected by a Property Section technician and the authorized person upon retrieval and return.

VI. Combustibles and Explosives

- A. Gasoline tanks on small engines and lawn equipment must be drained before being submitted to the Property Section.
- B. Small amounts of **dry** combustible materials may be taken to the Property Section and stored in the arson cabinet (e.g., piece of wood marked as evidence from an arson investigation).
- C. No combustible liquids of any type or amount will be accepted by the Property Section. Cans of gasoline, naphtha, or paint thinner must be handled by an on-call Bomb Squad technician.
- D. At no time shall **any** suspected explosive device, including fireworks, be turned in to the Property Section. All suspected explosive materials must be handled by an on-call Bomb Squad technician. Any seized explosive materials utilized for training will be maintained in the same manner.

VII. Reporting Procedures

- A. The *Property Room Voucher* must be filled out as completely as possible. The name and contact information of the property owner and/or claimant, if known, must also be included to aid in the disposition of property. Each item must be described as accurately as possible.
- B. An incident report must be made each time a member of the department takes control of property, whether as evidence or for safekeeping (personal property). All property must be listed in the "Property" section of the report, not in the narrative. The narrative of the report should contain a complete description of the circumstances in which the property came into possession of the officer.
- C. If property cannot be taken directly to the Property Section, an explanation must be provided in the incident report. The report must also list who transported the property and to which location it was taken.
- D. In cases where other property is to be turned in along with narcotics, the officer must list the narcotics on a separate *Property Room Voucher*.

VIII. Property Disposition

- A. If evidence or property is ordered to be disposed by a court, the officer must return to the Property Section and have the **"Hold"** status changed to **"Dispose Of"** by Property Section personnel.
- B. Except for firearms, if evidence or property is to be released by the court, the officer must report to the Property Section and change the status to **"RTC."** The computer system will then generate a letter to the owner listed on the *Property Room Voucher*.
- C. *Disposition Orders* are automatically generated and sent to the officer listed on the *Property Room Voucher* as the responsible officer. Officers receiving a Disposition Order must complete it and return it by inter-department mail within three (3) working days.
- D. The Property Section will make every reasonable effort to release or dispose of evidence and found/recovered property within six (6) months after final disposition of a case. This may result from the



conclusion of a court case, release by the officer, or when recommended by a deputy prosecutor upon termination of an investigation. Property not claimed by an owner may be disposed of at auction or destroyed in accordance with Property Section standard operating procedures.

- E. All officers are responsible for the disposition of evidence and property in any case assigned to them. No officer may release evidence or property on any case to which the officer is not assigned.

EXCEPTION

In the event an officer is on vacation, ill, retired, deceased, etc., it is the responsibility of the branch commander having jurisdiction over the case to complete the *Disposition Order*. In doing so, caution should be observed to prevent the destruction of evidence or property which may be of future value in the disposition of the case.

IX. Inspections

- A. Semi-Annual Inspections – The Property Section manager or designee shall conduct an inspection semi-annually to confirm adherence to procedures issued for the control, storage, and disposition of property/evidence. This inspection shall include:
1. Checking all of the internal and external storage facilities to ensure the facilities are maintained in a clean and orderly fashion;
 2. Checking to ensure all stored property and evidence is being protected from damage and/or deterioration;
 3. Ensuring proper accountability procedures are maintained;
 4. Verifying all of the property having no further evidentiary value is disposed of promptly; and
 5. Confirming all agency rules and procedures are being followed.
- B. Audit upon Change of Property/Evidence Custodian – Whenever a new Property Section manager is appointed, an audit of the Property Section shall be conducted to ensure that all records are correct and properly annotated. This audit shall be conducted jointly by the newly-appointed Property Section manager, the outgoing manager, and a designee provided by the Citizens Services sworn commander. The results of the audit shall be documented and forwarded via chain of command to the Chief of Police or designee, the Planning and Research supervisor, and/or Accreditation manager.
- C. The purpose of the audit is to ensure the continuity of custody involved with high-risk property/evidence (e.g., money, precious metals, jewelry, firearms, and drugs). The audit shall be sufficient to show the integrity of the system and accountability of the property/evidence. A sample size of these high risk items, as required by accreditation standards and/or department SOP, shall be audited. If an error rate of more than four percent (4%) is discovered when conducting the audit, a complete inventory of the high risk property must be performed. All data shall be recorded, dated, timed, and signed by both managers.
- D. Annual Audit of Property and Evidence – An annual audit of property and evidence shall be conducted by a supervisor who does not have routine or direct supervisory/management responsibility over the Property Section. The supervisor, who shall be selected by the Chief of Police or designee, may select additional members to assist. Any and all members participating in the audit must not have a routine or direct connection, affiliation, or control of the Property Section. The audit should:
1. Include a sufficient sampling as required by accreditation standards and/or department SOP;
 2. Ensure the continuity of custody of general and high risk items;
 3. Verify the integrity of the system; and



4. Document the accountability of property.

NOTE

A full accounting or inventory of every item is not required.

- E. Unannounced Inspections – The Chief of Police or designee shall conduct an unannounced inspection of the Property Section at least annually. The unannounced inspection may be short in duration to:
 1. Inspect cleanliness and orderliness;
 2. Perform a random comparison of records of a few pieces of property/evidence to ensure they are in the proper place as stated in the records; and,
 3. Verify security procedures are being maintained.
- F. Inspection /Audit Reports – Within ten (10) days after an inspection or audit, a written report shall be completed and forwarded to the Chief of Police or designee, through the chain of command, for approval and filing. One (1) copy will be forwarded to the Planning and Research supervisor and/or Accreditation manager.